

REMARKS

Please consider the following responses to the issues raised in the Office action.

Claim Amendments

Claim 1 is amended to more clearly state the relationship between the vibratory means and the other structures of the power toothbrush. Claim 1 is further amended to provide consistency in terminology between claims for connection of structures.

Claim 5 is amended to ensure consistency with the structural relationships recited in claim 1.

Claim 10 is amended to more clearly state the relationship between the vibratory means and the other structures of the power toothbrush.

Claim 12 is amended to ensure consistency with the structural relationships recited in claim 10.

Claim 16 is amended to more clearly state the relationship between the brush head and the brush shaft and between the vibration isolation means and the other structures of the power toothbrush.

Claim 21 is amended to indicate the vibratory motor is a rotary vibratory motor to identify structure of the motor indicative of a longitudinal axis. Claim 21 is further amended to provide consistency in terminology between claims for connection of structures.

Claim Rejections – 35 U.S.C. § 102

The Office action asserts that claims 16-19 are anticipated by U.S. Patent No. 5,987,681 to Hahn et al. and further that claim 21 is rejected as anticipated by Japanese patent 3222905 to Iguchi.

Claim 16 is directed to a power toothbrush comprising an eccentric motor positioned entirely in a brush shaft, distal from the handle. It is respectfully submitted that Hahn et al. discloses a toothbrush with a motor in the handle. At column 1, line 34, Hahn et al. states, "A rotary motor is arranged in the handle" At column 1, lines 62-64, Hahn et al. further describes that "the shank is constructed on the handle side so that it forms a front most part of the handle in which the motor is accommodated." Additionally, at column 2, lines 30-35, the description states, "The handle 1 is formed substantially by the handle casing 1a. In the embodiment shown, the shank 3 is provided at its end on the handle side with a section 31 that is greatly enlarged in diameter ... and that forms the front part 1b ... of the handle 1." Hahn et al clearly teaches a motor provided within the handle. Applicants claim a motor distal from the handle in the brush shaft. For at least this reason, the invention as presented in

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claim 16, and in claims 17-19 depending therefrom, is considered to possess the requisite novelty when considered in light of Hahn et al.. Pursuant to a telephone conference between Applicants' attorney and the Examiner on 7 May 2003, the Examiner has agreed to review and withdraw this rejection in view of these differences between the claimed invention and the cited reference.

Claim 21 is directed to a power toothbrush comprising a rotary vibratory motor positioned entirely in a brush head and oriented parallel to a longitudinal axis of the toothbrush. The rotary nature of the vibratory motor identifies structure indicative of a longitudinal axis. It is respectfully submitted that none of the cited references disclose a rotary vibratory motor positioned entirely in a brush head and oriented parallel to a longitudinal axis of the toothbrush as provided in claim 21. For at least this reason, the invention as presented in claim 21 is considered to possess the requisite novelty when considered in light of the cited references. Pursuant to a telephone conference between Applicants' attorney and the Examiner on 7 May 2003, the Examiner has agreed to review this rejection in view of the amendment to claim 21 made herein.

Summary

In light of these remarks, Applicant believes the pending claims of the present application are patentable in view of the prior art. Allowance and issue of all pending claims is therefore requested.

Respectfully submitted this 7th day of May 2003 by



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